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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/184,186	11/02/1998	ROBERT MARC CLEMENT	2170.00013	3992

7590

12/12/2003

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EXAMINER

ELVE, MARIA ALEXANDRA

ART UNIT

PAPER NUMBER

1725

DATE MAILED: 12/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/184,186

Applicant(s)

CLEMENT ET AL.

Examiner

M. Alexandra Elve

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15, 17-23, 27-32, 46, 48 and 49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-15, 17-23, 27-32, 48 and 49 is/are allowed.
- 6) ☒ Claim(s) 46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 21. 6) ☐ Other: _____

DETAILED ACTION

Double Patenting

Claim 46 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 27 of U.S. Patent No. 6,558,493. Although the conflicting claims are not identical, they are not patentably distinct from each other because the remove of the screen is based on a degradation of a bonded layer.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burkart et al. (CN Pat. 2,073,092) in view of Gofuku et al. (US Pat. 5,269,868).

Burkart et al. discloses a method and apparatus for releasing the adhesive joints of glazing screens, which is, releasing a windshield from an automobile frame. The adhesive joint includes a heatable separating member, which in one embodiment is one of two adhesive beads. Upon heating by electrical energy or radiation (high frequency, microwave or infrared), the heatable separating member is destroyed at a temperature

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at which the other adhesive bead is not damaged. Burkart et al. does not disclose a single adhesive bead.

Gofuku et al. discloses the separation of adhesive bonded substrates. Separation entails irradiation of the adhesive using an energy beam that is transmitted through one of the substrates and is absorbed into the adhesive. In particular, the separating glass substrates are liquid crystal devices but could be applied to other substrates. The energy beam is an ultraviolet laser, but other lasers and other energy beams may be used.

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the Burkart et al. separation to one adhesive bead, as taught by Gofuku et al. because it is merely a variation on a substrate adhesive structure. Additionally, one of ordinary skill in the art would have been motivated to use Gofuku et al. for vehicle windows because it is not limited to substrates which are attached by a Burkart et al. type adhesive, that is, a heatable separating member, but rather applicable to substrates which are attached by a single homogeneous adhesive bead. These are used almost exclusively in the automobile industry (applicant's specification). The teaching by Gofuku that his method is applicable to bonded substrates other than liquid crystal displays and to many adhesives used by Burkart et al. to bond vehicle windows, would have provided one of ordinary skill in the art with a reasonable expectation of success in applying the Gofuku process to vehicle windows.

Allowable Subject Matter

Claims 1-15, 17-23, 27-32 & 48-49 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: the claims as supported by the specification differs from the prior art in that it does not teach the use of an electrical gas discharge delivery system.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Alexandra Elve whose telephone number is (703) 308-0092. The examiner can normally be reached Monday to Friday from 6:30 AM to 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dunn, can be reached on (703) 308-3318. The fax number for non-after finals is 703-872-9310 and for after finals is 703-872-9311.

Any inquiry of general nature to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 308-0661.

December 10, 2003.


M. ALEXANDRA ELVE
PRIMARY EXAMINER